

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re: Lynnise Culler, <div style="text-align: center;">Debtor,</div> Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1, <div style="text-align: center;">Movant,</div> v. Lynnise Culler, <div style="text-align: center;">Debtor/Respondent,</div> Kenneth E. West, <div style="text-align: center;">Trustee/Respondent.</div>	Bankruptcy No. 25-10056-pmm Chapter 13 Related to Doc. No. 24
--	---

WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY IN ITS CAPACITY AS OWNER TRUSTEE FOR OCWEN LOAN ACQUISITION TRUST 2023-HB1’S OBJECTION TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1, (“WILMINGTON SAVINGS FUND”), by and through its undersigned counsel, hereby objects to the proposed Chapter 13 Plan of Debtor Lynnise Culler, and in support thereof alleges as follows:

1. Debtor, Lynnise Culler, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 7, 2025.
2. WILMINGTON SAVINGS FUND holds a security interest in the Debtor’s real property at 250 E Armat St Philadelphia, PA 19144 (the “Property”), by virtue of a Mortgage

recorded in the recording district of Philadelphia County, PA on January 31, 2017 with instrument #53170070 which has ultimately been assigned to Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1.

3. Said Mortgage secures a Note in the amount of \$165,000.00
4. Upon review of internal records, it is anticipated that WILMINGTON SAVINGS FUND'S Proof of Claim will include a total debt claim of approximately \$183,739.57 a true and correct copy of the pre-petition arrearage is attached hereto as Exhibit "A."
5. On February 18, 2025, Debtor filed a Chapter 13 Plan (the "Plan"). A true and correct copy of the Plan is attached hereto as Exhibit "B."
6. The plan fails to include treatment of Secured Creditor's claim and fails to mention real property in plan. Furthermore, real property is also not listed in schedules A/B along with creditor not being listed .Secured Creditor objects to the plan and seeks clarification as to Debtor's intentions in regard to the subject property and claim.
7. The plan fails to meet the requirements of 11 U.S.C. § 1322(b)(3) and (b)(5) and 1325(a)(5) with respect to the Secured Creditor's claim and the subject mortgage, and therefore, fails to meet the confirmation requirements of 11 U.S.C. § 1325(a)(1).
8. Accordingly, pursuant to 11 U.S.C.A. § 1325(a)(5) Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1 hereby objects to Debtor's proposed Plan due to the fact that the treatment of Secured Creditor's Claim is not accounted for in the Plan filed by the Debtor. See 11 U.S.C.A. § 1322(b)(3) and (b)(5).

WHEREFORE, Secured creditor Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1, respectfully requests that this Court not confirm the Chapter 13 Plan of Debtor Lynnise Culler.

Respectfully Submitted,

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Authorized Agent for Secured Creditor
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Phone: (470) 321-7112
Fax: (404) 393-1425

By: /s/ Robert Shearer, Esq.
Robert Shearer, Esq., Esquire
Pennsylvania Bar Number 83745 PA
Email: rshearer@raslg.com

Date: March 10, 2025

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re: Lynnise Culler, <div style="text-align: center;">Debtor,</div> Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Ocwen Loan Acquisition Trust 2023-HB1, <div style="text-align: center;">Movant,</div> v. Lynnise Culler, <div style="text-align: center;">Debtor/Respondent,</div> Kenneth E. West, <div style="text-align: center;">Trustee/Respondent.</div>	Bankruptcy No. 25-10056-pmm Chapter 13 Related to Doc. No. 24
--	---

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 10, 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF to the following parties:

MICHAEL A. CIBIK
Cibik Law, P.C.
1500 Walnut Street
Suite 900
Philadelphia, PA 19102

KENNETH E. WEST
Office of the Chapter 13 Standing Trustee
190 N. Independence Mall West
Suite 701
Philadelphia, PA 19106

United States Trustee
Office of United States Trustee
Robert N.C. Nix Federal Building
900 Market Street
Suite 320
Philadelphia, PA 19107

The following parties will be served by first class U.S. Mail:

Lynnise Culler
8616 Fayette Street
Philadelphia, PA 19150

Respectfully Submitted,

**Robertson, Anschutz, Schneid, Crane &
Partners, PLLC**
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Phone: (470) 321-7112
Fax: (404) 393-1425

By: /s/ Robert Shearer, Esq.
Robert Shearer, Esq., Esquire
Pennsylvania Bar Number 83745 PA
Email: rshearer@raslg.com